Part III Attachments for Completing the Survey

PRODUCT CATEGORIES

ADHESIVES AND SEALANTS

Adhesives		Sealan	Sealants	
Code Product Categor 1101 Arts and Crafts A 1102 Automotive Add 1103 Carpet and Tile 1104 Construction and 1105 Contact Adhesiv 1106 General Purpose	Adhesives esives Adhesives I Panel Adhesives e Adhesive e (including Industrial) d Primers	<u>Code</u> 1201	Product Category Caulking Compounds Cold Process Roof Cements Wood Fillers	

AUTOMOTIVE AFTERMARKET PRODUCTS

Auto Detailing Products

Auto Repair Products

Code	Product Category	Code	Product Category
2101	Bug and Tar Removers	2202	Automotive Brake Cleaners
2102	Carpet and Upholstery Cleaners	2203	Carburetor, Choke Cleaners
2103	Automotive Hard Paste Waxes	2204	Engine Degreasers
2104	Automotive Instant Detailers	2205	Solvent Parts Cleaner
2105	AutomotiveWaxes/Polishes/Sealants/Glazes	2207	Undercoatings
2106	Rubber and Vinyl Protectants	2208	Automotive Windshield Washer Fluids
2107	Automotive Rubbing or Polishing Compounds		
2108	Tire Cleaners		
2109	Vinyl and Leather Cleaners		
2110	Wheel Cleaners		

SOLVENTS AND COATING RELATED PRODUCTS

Miscellaneous Coating Related Products	Miscellaneous Solvent Product	Miscellaneous Solvent Products	
Code Product Category	<u>Code</u> <u>Product Category</u>		
3102 Grafitti Removers	3201 Multipurpose Solvents		
3103 Paint Removers or Strippers	3202 Electronic Cleaner		
	3203 Adhesive Remover		

PRODUCT CATEGORIES

FIFRA-REGULATED PRODUCTS

(Does not include agricultural-use pesticides/insecticides or pesticides used as structural fumigants.)

Antimicrobial Agents	Insecticides	
Code Product Category	Code Product Category	
4101 Disinfectants	4301 Flea and Tick Insecticide	
4102 Sanitizers	4302 Flying Insect Insecticide	
	4303 Wasp and Hornet Insecticide	
	4304 Lawn and Garden Insecticides	
	4305 Crawling Bug Insecticides	
	4306 Insecticide Foggers	
Herbicides	Miscellaneous FIFRA-Regulated Products	
Code Product Category	Code Product Category	
4201 Non-selective Herbicides/Defoliants	4401 Insect Repellants	
4202 Selective Herbicides/Defoliants	4402 Fungicides and Nematicides	
HOUSE	HOLD PRODUCTS	
The second secon		
Fabric and Carpet Care Products	Laundry Products	
Code Product Category	Laundry Products <u>Code</u> Product Category 5301 Laundry Prewash	
Code Product Category	Code Product Category	
Code Product Category5101 Carpet and Upholstery Cleaners	Code Product Category	
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 	Code Product Category	
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 	Code Product Category	
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant 	Code Product Category	
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 	Code Product Category	
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant 	Code Product Category 5301 Laundry Prewash	
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant Hard Surface Cleaners 	Code Product Category 5301 Laundry Prewash Waxes and Polishes	
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant Hard Surface Cleaners Code Product Category 	Code Product Category 5301 Laundry Prewash Waxes and Polishes Code Product Category	
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant Hard Surface Cleaners Code Product Category 5201 Floor Wax Strippers 	Code Product Category 5301 Laundry Prewash Waxes and Polishes Code Product Category 5401 Dusting Aids	
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant Hard Surface Cleaners Code Product Category 5201 Floor Wax Strippers 5202 General Purpose Cleaners 	Code Product Category 5301 Laundry Prewash Waxes and Polishes Code Product Category 5401 Dusting Aids 5402 Flexible Floor Wax/Polish	
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant Hard Surface Cleaners Code Product Category 5201 Floor Wax Strippers 5202 General Purpose Cleaners 5203 General Purpose Degreasers 	Code Product Category 5301 Laundry Prewash Waxes and Polishes Code Product Category 5401 Dusting Aids 5402 Flexible Floor Wax/Polish 5403 Non-resilient Floor Wax/Polish	

5207 Toilet Bowl Cleaners

5208 Tub, Tile and Sink Cleaners

PRODUCT CATEGORIES

HOUSEHOLD PRODUCTS (CONT'D)

Lubricants	Air Fresheners		
Code Product Category	Code Product Category		
5501 Multi-purpose Lubricant	5601 Single Phase Aerosols (incl. Metered Dose)		
5502 Silicone Based Multi-purpose Lubricant	5602 Dual Phase Aerosols		
5503 Penetrant	5603 Dual Purpose Air Freshener/Disinfectant		
5504 Specialty Lubricant	5604 Liquids/Pump Sprays		
5505 Cutting Oil/Fluid	5605 Solids/Gels		
5506 Chain, Cable or Open Gear Lubricant			
5507 Anti-Seize Compound	Miscellaneous Household Products		
5508 Multi-purpose Dry Lubricant			
	Code Product Category		
	5701 Charcoal Lighter Materials		
PERSONAI	CARE PRODUCTS		
Facial and Body Treatments	Hair Care Products		
<u>Code</u> <u>Product Category</u>	<u>Code</u> <u>Product Category</u>		
6201 Astringents/Toners	6401 Hair Spray		
6202 Hand and Body Lotions	6402 Hair Mousses		
	6403 Hair Shines		
Fragrance Products	6404 Hair Styling Gels		
Code Product Category	Nail Care Products		
6301 Personal Fragrance Product			
(20% or less fragrance)	Code Product Category		
6302 Personal Fragrance Product	6501 Nail Polish		
(more than 20% fragrance)	6502 Base coats, Undercoats		
	6503 Nail Polish Removers		
Miscellaneous Personal Care Products			
Code Product Category			
6602 Shaving Creams			
6603 Shaving Gels			
6605 Personal Hygiene Sprays			

COMMON SIC CODES FOR CONSUMER AND COMMERCIAL PRODUCTS

I. Manufacturers:

Code*	<u>Description</u>	Examples
2079	Edible Fats and Oils, Nec	Aerosol Nonstick Pan Sprays
2834	Pharmaceutical Preparations	Prescription and OTC Drugs
2841	Soap and Other Detergents	Laundry Detergent
2842	Specialty Cleaning, Polishing	Floor Wax, Disinfectant, Degreasers
	& Sanitation Preparations	
2844	Perfumes, Cosmetics & Other Toilet Preps.	Hairspray, Deodorant, Toothpaste
2851	Paints and Allied Products	Paint Thinner, Paint Remover, Putty
2879	Pesticides and Agricultural Chemicals, Nec	Household Insecticides & Herbicides
2891	Adhesives and Sealants	Caulking
2899	Chemical Preparations, Nec	Antifreeze
2992	Lubricating Oils and Greases	Lubricants
	_	

^{*} All codes under "Manufacturing." Bolded codes expected to apply to most products.

II. Wholesalers:

Code**Description	<u>Examples</u>
5112 Stationary and Office Supplies	Photocopy Supplies, Pens
5122 Drugs, Drug Proprietaries, Sundries	Hairspray, Perfume, Antiseptics
5149 Groceries, and Related Products, Nec	Aerosol Whipped Cream
5169 Chemicals and Allied Products, Nec	Laundry Soap, Polishes, Turpentine
5198 Paints, Varnishes, and Supplies	Shellac, Varnish, Enamel
5199 Nondurable Goods, Nec	Artists' Materials
** All codes under "Wholesale Trade." Bolded	codes expected to apply to most
products.	

III Retailers:

<u>Code</u> *	*** <u>Description</u>	<u>Examples</u>
5231	Paint, Glass and Wallpaper Stores	Paint Thinner, Paint Remover
5251	Hardware Stores	Adhesives, Caulking Compounds
5261	Retail Nurseries, Lawn and Garden Supply	Herbicides, Insecticides

Note: nec means "not elsewhere classified."

COMMON SIC CODES FOR CONSUMER AND COMMERCIAL PRODUCTS

III Retailers (Cont'd):

Code*	*** <u>Description</u>		<u>Examples</u>
5311	Department Stores		Various Personal Care Products
5331	Variety Stores		Numerous
5399	Miscellaneous General Merchandise Stores		Numerous
5411	Grocery Stores	4	Numerous
5511	Motor Vehicle Dealers (new and used)	47	Windshield Washer Fluids
5531	Auto and Home Supply Stores		Multipurpose Lubricants
5541	Gasoline Service Stations		Lubricants
5941	Sporting Goods Stores and Bicycle Shops	\neg	Lubricants
5961	Catalog and Mail-Order Houses	4	Numerous
5963	Direct Selling Establishments		Numerous
5999	Miscellaneous Retail Stores, nec		Numerous
***	All codes under "Retail Trade." Bolded co	des	s expected to apply to most



Note: nec means "not elsewhere classified." Page B-2

SELECTED SOLVENTS USED IN CONSUMER AND COMMERCIAL PRODUCTS (This is <u>not</u> a list of LVP-VOC solvents)

Attachment C has been prepared at the request of consumer product manufacturers. It is for the sole purpose of assisting in their response to this survey. This following list of solvents was compiled solely from the physical properties reported by individual producers of the listed compounds and mixtures. Chemical Abstract Service (CAS) numbers are provided as a useful reference when the CAS number for a product ingredient cannot be found. We encourage individuals responding to the survey to obtain the CAS number from their supplier, if possible.

Known compounds and mixtures with a vapor pressure of less than 0.1 millimeters of mercury (mm Hg) or boiling points greater than 216° Celsius (C) are included. Hydrocarbon solvent mixtures composed of more than one compound were evaluated solely on their distillation range. Only those hydrocarbon mixtures with a final boiling point in excess of 216°C are included. For further clarity, the included solvents are further segregated as either hydrocarbon or oxygenated solvents.

Attachment C is not intended to be used as a guide to the low vapor pressure status of any volatile organic compounds contained herein, and is not inclusive of all solvents used in consumer products that may meet the specifications of an LVP-VOC. Any mention of trade names or commercial products does not constitute approval, endorsement, or recommendation by the Air Resources Board for use.



SELECTED SOLVENTS USED IN CONSUMER AND COMMERCIAL PRODUCTS (This is <u>not</u> a list of LVP-VOC solvents)

HYDROCARBON SOLVENTS

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Con	deaV	/1Sfa

LINPAR 1012-V Paraffin, 129813-66-7 LINPAR 1214-V Paraffin, 64771-72-8 LINPAR 1416-V Paraffin, 90622-46-1

LINPAR 1417 Paraffin LINPAR 1820 Paraffin LPA Solvent, 64742-47-8 LPA-150, 64742-47-8 LPA-170, 64742-47-8

LPA-190, 64742-47-8

LPA-210, 64742-47-8 MR-Solvent, 64741-85-1

Specialty Alkylate 154L

Specialty Alkylate 159L

Specialty Alkylate 3050, 129813-62-3

Specialty Alkylate 3060

Specialty Alkylate 7050, 94094-93-6

Specialty Alkylate 7060 Specialty Alkylate 8560 Vista 47 Solvent, 64742-47-8

VISTASOL 500 VISTASOL 540L

Shell

NEOSOLV 2 NEOSOLV 4 NEOSOLV 6 NEOSOLV 8

NEOSOLV24

NEOSOLV 150

<u>Penreco</u>

Conosol C-145, 64742-47-8 Conosol C-170, 64742-47-8

Conosol C-200, 64742-47-8

Penreco 2251, 66742-14-9

Penreco 2257, 64742-47-8

Penreco 2259, 8042-47-5

Penreco 2260, 8042-47-5

Penreco 2263, 64742-47-8

Exxon

EXXATE 1000

EXXATE 1300

EXXSOL D80, 64742-47-8

EXXSOL D95, 64742-47-8

EXXSOL D110, 64742-47-8

EXXSOL D130

ISOPAR M, 64742-47-8

ISOPAR V, 64742-46-7

NORPAR 13, 64771-72-8

NORPAR 15, 64771-72-8

Aromatic 200, 64742-94-5

<u>Citgo</u>

170 Solvent

460 Solvent

Mineral Spirits 150

Solv G (Aromatic 150), 64742-94-5

SELECTED SOLVENTS USED IN CONSUMER AND COMMERCIAL PRODUCTS (This is <u>not</u> a list of LVP-VOC solvents)

OXYGENATED SOLVENTS

GLYCOLS

Butylene Glycols

1,3-Butylene Glycol, 107-88-0

Ethylene Glycols

Ethylene Glycol, 107-21-1

Diethylene Glycol, 111-46-6

Triethylene Glycol, 112-27-6

Tetraethylene Glycol, 112-60-7

Pentaethylene Glycol, 4792-15-8

Propylene Glycols

Propylene Glycol, 57-55-6

ARCO, PGI

Dipropylene Glycol, 25265-71-8

ARCO, DPGlo

Tripropylene Glycol, 24800-44-0

Hexylene Glycols

Hexylene Glycol, 107-41-5

GLYCOL ETHERS

Ethylene Glycol Ethers

Ethylene Glycol Phenyl Ether, 122-99-6

Dow, DOWANOL EPh

Dow, DOWANOL DALPAD A

Ethylene Glycol Monohexyl Ether, 112-25-4

Union Carbide, Hexyl CELLOSOLVE Solvent

Ethylene Glycol 2-Ethylhexyl Ether,

Eastman, EASTMAN EEH

Diethylene Glycol Ethyl Ether, 111-90-0

Dow. DOWANOL DE

Eastman, EKTASOLVE DE

Occidental, DE

Union Carbide, CARBITOL Solvent (LG)

Diethylene Glycol Ethyl Ether, Mixtures

Union Carbide, CARBITOL Solvent, PM-600

Diethylene Glycol Propyl Ether, 1002-67-1

Eastman, EASTMAN DP

Union Carbide, Propyl CARBITOL Solvent

Diethylene Glycol Butyl Ether, 112-34-5

Dow, DOWANOL DB

Eastman, EASTMAN DB

Occidental, DB

Shell, Butyl DIOXITOL

Union Carbide, Butyl CARBITOL Solvent

Diethylene Glycol Monohexyl Ether, 112-59-4

Union Carbide, Hexyl CARBITOL Solvent

Triethylene Glycol Methyl Ether, 112-35-6

Occidental, TM

Union Carbide, Methoxytriglycol

Triethylene Glycol Methyl Ether, Mixtures

Dow, TMH

Occidental, HM

Occidental, HHM

Triethylene Glycol Ethyl Ether, 112-50-5

Union Carbide, Ethoxytriglycol

Triethylene Glycol Ethyl Ether, Mixtures

Occidental, HE

Triethylene Glycol Butyl Ether, 143-22-6

Union Carbide, Butoxytriglycol

Triethylene Glycol Butyl Ether, Mixtures

Dow, DOWANOL TBH

Occidental, HB

Triethylene Glycol Dimethyl Ether, 112-49-2

Triethylene Glycol Hexyl Ether, Mixtures

Union Carbide, Solvent PH

SELECTED SOLVENTS USED IN CONSUMER AND COMMERCIAL PRODUCTS (This is <u>not</u> a list of LVP-VOC solvents)

OXYGENATED SOLVENTS

Tetraethylene Glycol Methyl Ether, Mixtures

Union Carbide, Methoxypolyglycol

Tetraethylene Glycol Ethyl Ether, Mixtures

Union Carbide, Solvent PE

Tetraethylene Glycol Butyl Ether, Mixtures

Union Carbide, Solvent PB

Propylene Glycol Ethers

Propylene Glycol Phenyl Ether, 4169-04-4

Dow, DOWANOL PPh

Dipropylene Glycol Propyl Ether, 30025-38-8

ARCO, ARCOSOLV DPE

Dipropylene Glycol n-Propyl Ether, 29911-27-1

ARCO, ARCOSOLV DPnP

Dow, DOWANOL DPnP

Dipropylene Glycol n-Butyl Ether, 29911-28-2

ARCO, ARCOSOLV DPnB

Dow, DOWANOL DPnB

Tripropropylene Glycol Methyl Ether, 25498-49-1

ARCO, ARCOSOLV TPM

Dow, DOWANOL TPM

Tripropylene Glycol n-Butyl Ether

Dow, DOWANOL TPnB

GLYCOL ETHER-ESTERS

Ethylene Glycol Ether-Esters

Diethylene Glycol Ethyl Ether Acetate, 112-15-2

Eastman. EASTMAN DE Acetate

Diethylene Glycol Butyl Ether Acetate, 124-17-4

Eastman, EASTMAN DB Acetate

Occidental, DB Acetate

Union Carbide, Butyl CARBITOL Acetate

Propylene Glycol Ether-Esters

Dipropylene Glycol Methyl Ether Acetate, 88917-22-0

ARCO, ARCOSOLV DPMA

Dow, DOWANOL DPMA

OTHER OXYGENATES

2,2,4-Trimethyl-1,3-Pentanediol Monoisobutyrate,

25265-77-4

Eastman, TEXANOL ESTER ALCOHOL

Union Carbide, UCAR Filmer IBT

2-Ethylhexanol, 104-76-7

Alkyl Acetates

EXXATE 1000

EXXATE 1300

Glyceryl Triacetate, 102-76-1

Eastman, Triacetin

Keytones

Eastman, C-11 Ketone Mixtures, 71808-49-6

Union Carbide, Isobutyl Heptyl Ketone, 123-18-2

Union Carbide, Diisobutyl Keytone, Isomer Mixture

Methyl-2,4-Pentanediol, 107-41-5

Methyl Propanediol, 2163-42-0

ARCO, MPDiol Glycol

Propylene Carbonate, 108-32-7

ARCO, ARCONATE HP

ARCO, ARCONATE PC1000

Mixed Tridecyl Acetate Esters

Trimethyl Nonanol, 123-17-1

Diisobutyl Adipate, 141-04-8

Diisobutyl Glutarate, 71195-64-7

Diisobutyl Succinate, 925-06-4

SELECTED SOLVENTS USED IN CONSUMER AND COMMERCIAL PRODUCTS (This is <u>not</u> a list of LVP-VOC solvents)

OXYGENATED SOLVENTS

Diisobutyl Mixtures
DuPont, DBE-IB
Dimethyl Adipate, 627-93-0
Dimethyl Glutarate, 119-40-0

Dibasic Esters Mixtures
DuPont, DBE
DuPont, DBE-2
DuPont, DBE-3
DuPont, DBE-5
DuPont, DBE-6



- "Adhesive Remover" means a product designed exclusively for the removal of adhesives, caulk and other bonding materials from either a specific substrate or a variety of substrates.
- "Aerosol Adhesive" means a pressurized spray adhesive which dispenses by means of a propellant or mechanically induced force. Aerosol Adhesive does not include pump sprays. This category does include industrial products.
- "Aerosol Cooking Spray" means any aerosol product designed either to reduce sticking on cooking and baking surfaces or to be applied on food, or both.
- "Aerosol Product" means a product packaged in a pressurized, disposable, hand-held can equipped with a valve that dispenses product ingredients by means of a propellant or mechanically induced force.
- "Agricultural Use" means the use of any pesticide or method or device for the control of pests in connection with the commercial production, storage or processing of any animal or plant crop. Agricultural use does not include the sale or use of pesticides in properly labeled packages or containers which are intended for: (A) "Home use", (B) Use in "Structural pest control", or (C) "Industrial use" or "Institutional use." For the purposes of this definition only:
 - "Home use" means use in a household or its immediate environment.
 - "Structural pest control" means a use requiring a license under Chapter 14 (commencing with Section 8500), Division 3, of the Business and Professions Code.
 - "Industrial use" means use for or in a manufacturing, mining, or chemical process or use in the operation of factories, processing plants, and similar sites.
 - "Institutional use" means use within the lines of, or on property necessary for the operation of buildings such as hospitals, schools, libraries, auditoriums, and office complexes.
- "Air Freshener" means any consumer product including, but not limited to, sprays, wicks, powders, and crystals, designed for the purpose of masking odors, or freshening, cleaning, scenting, or deodorizing the air. Air freshener includes dual purpose air freshener/disinfectant products. Air freshener does not include products that are used on the human body, or products that function primarily as cleaning products as indicated on a product label or advertisement.
- "Astringent/Toner" means any product not regulated as a drug by the United States Food and Drug Administration (FDA) which is applied to the skin for the purpose of cleaning or tightening pores. This category also includes clarifiers and substrate-impregnated products. This category does not include

DEFINITIONS

any hand, face, or body cleaner or soap product, *Personal Fragrance Product*, cold cream, lotion, or antiperspirant.

- "ASTM" means the American Society for Testing and Materials.
- "Automotive Brake Cleaner" means a cleaning product designed to remove oil, grease, brake fluid, brake pad material or dirt from motor vehicle brake mechanisms.
- "Automotive Hard Paste Wax" means an automotive wax or polish which is: (A) designed to protect and improve the appearance of automotive paint surfaces; and (B) a *solid* at room temperature; and (C) contains 0% water by formulation.
- "Automotive Instant Detailer" means a product designed for use in a pump spray that is applied to the painted surface of automobiles and wiped off prior to the product being allowed to dry.
- "Automotive Rubbing or Polishing Compound" means a product designed primarily to remove oxidation, old paint, scratches or "swirl marks", and other defects from the painted surfaces of motor vehicles without leaving a protective barrier.
- "Automotive Wax, Polish, Sealant or Glaze" means a product designed to seal out moisture, increase gloss, or otherwise enhance a motor vehicle's painted surfaces. Automotive wax, polish, sealant or glaze includes, but is not limited to, products designed for use in autobody repair shops and "drive-through" car washes, as well as products designed for the general public. Automotive wax, polish, sealant or glaze does not include automotive rubbing or polishing compounds, automotive wash and wax products, surfactant-containing car wash products, and products designed for use on unpainted surfaces such as bare metal, chrome, glass, or plastic.
- "Automotive Windshield Washer Fluid" means any liquid designed for use in a motor vehicle windshield washer fluid system either as an anti-freeze or for the purpose of cleaning, washing, or wetting the windshield(s). Automotive windshield washer fluid does not include any fluid which is placed in a new motor vehicle at the time the vehicle is manufactured.
- "Bathroom and Tile Cleaner" means a product designed to clean tile or surfaces in bathrooms. Bathroom and tile cleaner does not include products specifically designed to clean toilet bowls or toilet tanks.
- "Bug and Tar Remover" means a product designed to remove either or both of the following from painted motor vehicle surfaces without causing damage to the finish: (A) biological-type residues such as insect carcasses and tree sap and, (B) road grime, such as road tar, roadway paint markings, and asphalt.

- "Carburetor-Choke Cleaner" means a product designed to remove dirt and other contaminants from a carburetor. Carburetor-choke cleaner does not include products designed to be introduced directly into the fuel lines or fuel storage tank prior to introduction into the carburetor.
- "Carpet and Upholstery Cleaner" means a cleaning product designed for the purpose of eliminating dirt and stains on rugs, carpeting, and the interior of motor vehicles and/or on household furniture or objects upholstered or covered with fabrics such as wool, cotton, nylon or other synthetic fabrics. Carpet and upholstery cleaner includes, but is not limited to, products that make fabric protectant claims. Carpet and upholstery cleaner does not include general purpose cleaners, vinyl or leather cleaners, spot removers, dry cleaning fluids, or products designed exclusively for use at industrial facilities engaged in furniture or carpet manufacturing.
- "Charcoal Lighter Material" means any combustible material designed to be applied on, incorporated in, added to, or used with charcoal to enhance ignition. Charcoal Lighter Material does not include any of the following: (A) electrical starters and probes, (B) metallic cylinders using paper tinder, (C) natural gas, (D) propane, and (E) fat wood.
- "Colorant" means any pigment or coloring material used in a consumer product for an aesthetic effect, or to dramatize an ingredient.
- "Commercial Product" has the same definition as institutional product.
- "Construction and Panel Adhesive" means any one-component adhesive having gap filling capabilities and which distributes stress uniformly throughout the bonded area, resulting in a reduction or elimination of mechanical fasteners.
- "Consumer Product" means a chemically formulated product used by household and institutional consumers including, but not limited to, detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; and automotive specialty products; but do not include paint, furniture coatings, or architectural coatings.
- "Contact Adhesive" means an adhesive that: (A) is designed for application to both surfaces to be bonded together, and (B) is allowed to dry before the two surfaces are placed in contact with each other, and (C) forms an immediate bond that is impossible, or difficult, to reposition after both adhesive-coated surfaces are placed in contact with each other, and (D) does not need sustained pressure or clamping of surfaces after the adhesive-coated surfaces have been brought together using sufficient momentary pressure to establish full contact between both surfaces. Contact adhesive does not include rubber cements that are primarily intended for use on paper substrates.
- "Contract Employee" means a person hired by a company to sell that company's goods or products for an agreed upon commission or fee.

DEFINITIONS

"Custom Contract Packager" means a company that manufactures products based on the specifications of another company and places the other company's name on the product label.

"Crawling Bug Insecticide" means any insecticide product that is designed for use against ants, cockroaches, or other household crawling arthropods, including, but not limited to, mites, silverfish or spiders. Crawling bug insecticide does not include products designed to be used exclusively on humans or animals, or any "house dust mite product." For the purposes of this definition only:

"House dust mite product" means a product whose label, packaging, or accompanying literature states that the product is suitable for use against "house dust mites," but does not indicate that the product is suitable for use against ants, cockroaches, or other household crawling arthropods.

"House dust mite" means mites which feed primarily on skin cells shed in the home by humans and pets and which belong to the phylum Arthropoda, the subphylum Chelicerata, the class Arachnida, the subclass Acari, the order Astigmata, and the family Pyroglyphidae.

"Disinfectant" means any product intended to destroy or irreversibly inactivate infectious or other undesirable bacteria, pathogenic fungi, or viruses on surfaces or inanimate objects and whose label is registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C. 136, et seq.). Disinfectant does not include any of the following: (A) products designed solely for use on human or animals, (B) products designed for agricultural use, (C) products designed solely for use in swimming pools, therapeutic tubs, or hot tubs, (D) products which, as indicated on the principal display panel or label, are designed primarily for use as bathroom and tile cleaners, glass cleaners, general purpose cleaners, toilet bowl cleaners, or metal polishes.

"Distributor" means any person to whom a *consumer product* is sold or supplied for the purposes of resale or distribution in commerce, except that *manufacturers*, *retailers*, and *consumers* are not *distributors*.

"Double Phase Aerosol Air Freshener" means an aerosol air freshener with the liquid contents in two or more distinct phases that requires the product container be shaken before use to mix the phases, producing an emulsion.

"Dry Cleaning Fluid" means any non-auqeous liquid product designed for use solely on fabrics which are labeled "for dry clean only," such as clothing or drapery. Dry cleaning fluid includes, but is not limited to, those products used by commercial dry cleaners and commercial business that clean fabrics such as draperies at the customer's residence or work place. Dry cleaning fluid does not include spot remover or carpet and upholstery cleaner.

DEFINITIONS

"Dual Purpose Air Freshener/Disinfectant" means an aerosol product that is represented on the product container for use as both a disinfectant and an air freshener, or is so represented on any sticker, label, packaging, or literature attached to the product container.

"Dusting Aid" means a product designed to assist in removing dust and other soils from floors and other surfaces without leaving a wax or silicone based coating. Dusting aid does not include products which consist entirely of compressed gases for use in electronic or other specialty areas.

"Electronic Cleaner" means a product designed specifically for the removal of dirt, grease or grime from electrical equipment such as electric motors, circuit boards, electricity panels, and generators.

"Employee" means a person hired by another, or by a business firm, to work for wages or salary.

"Engine Degreaser" means a cleaning product designed to remove grease, grime, oil and other contaminants from the external surfaces of engines and other mechanical parts.

"Exempt Compound" means any of the following organic compounds: carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and the following:

(A) methane, methylene chloride (dichloromethane), dichlorodifluoromethane (CFC-12). 1,1,1-trichloroethane (methyl chloroform), trichlorofluoromethane (CFC-11), 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113), 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114), chloropentafluoroethane (CFC-115), chlorodifluoromethane (HCFC-22), 1,1,1-trifluoro-2,2-dichloroethane (HCFC-123), 1,1-dichloro-1-fluoroethane (HCFC-141b), 1-chloro-1,1-difluoroethane (HCFC-142b), 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124), trifluoromethane (HFC-23), 1,1,2,2-tetrafluoroethane (HFC-134), 1,1,1,2-tetrafluoroethane (HFC-134a), pentafluoroethane (HFC-125), 1,1,1-trifluoroethane (HFC-143a), 1,1-difluoroethane (HFC-152a), volatile methyl siloxanes and the following classes of perfluorocarbons:

1. cyclic, branched, or linear, completely fluorinated alkanes;

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- 2. cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
- 3. cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations;
- 4. and sulfur-containing perfluorocarbons with no unsaturations and with the sulfur bonds to carbon and fluorine; and
- (B) the following low-reactive organic compounds which have been exempted by the U.S. EPA:
 - 1. acetone,
 - 2. ethane,
 - 3. parachlorobenzotrifluoride (1-chloro-4-trifluoromethyl benzene), and
 - 4. perchloroethylene (tetrachloroethylene).

"Fabric Protectant" means a product designed to be applied to fabric substrates to protect the surface from soiling from dirt and other impurities or to reduce absorption of water into the fabric's fibers. Fabric protectant does not include silicone-based products whose function is to provide water repellency, or products designed for use solely on fabrics which are labeled "for dry clean only" and sold in containers of 10 fluid ounces or less.

"Flea and Tick Insecticide" means any insecticide product that is designed for use against fleas, ticks, their larvae, or their eggs. Flea and tick insecticide does not include products that are designed to be used exclusively on humans or animals and their bedding.

"Floor Polish or Wax" means a wax, polish, or any other product designed to polish, protect, or enhance floor surfaces by leaving a protective coating that is designed to be periodically replenished. Floor polish or wax does not include spray buff products, products designed solely for the purpose of cleaning floors, floor finish strippers, products designed for unfinished wood floors, and coatings subject to architectural coatings regulations.

"Floor Wax Stripper" means a product designed to remove natural or synthetic floor polishes or waxes through breakdown of the polish or wax polymers, or by dissolving or emulsifying the polish or wax. Floor Wax Stripper does not include aerosol floor wax strippers or products designed to remove floor wax solely through abrasion.

"Flying Bug Insecticide" means any insecticide product that is designed for use against flying insects or other flying arthropods, including but not limited to flies, mosquitoes, moths, or gnats. Flying bug insecticide does not include wasp and hornet insecticide, products that are designed to be used exclusively on humans or animals, or any moth-proofing product. For the purposes of this definition only, "moth-proofing product" means a product whose label, packaging, or accompanying literature indicates that the product is designed to protect fabrics from damage by moths, but does not indicate that the product is suitable for use against flying insects or other flying arthropods.

- "Fragrance" means a substance or complex mixture of aroma chemicals, natural essential oils, and other functional components with a combined vapor pressure not in excess of 2 mm of Hg at 20°C, the sole purpose of which is to impart an odor or scent, or to counteract a malodor.
- "Furniture Maintenance Product" means a wax, polish, conditioner, or any other product designed for the purpose of polishing, protecting or enhancing finished wood surfaces other than floors. Furniture maintenance product does not include dusting aids, products designed solely for the purpose of cleaning, and products designed to leave a permanent finish such as stains, sanding sealers and lacquers.
- "Gel" means a colloid in which the disperse phase has combined with the continuous phase to produce a semisolid material, such as jelly.
- "General Purpose Adhesive" means any non-aerosol adhesive designed for use on a variety of substrates. General purpose adhesive does not include (A) contact adhesives, (B) construction and panel adhesives, (C) adhesives designed exclusively for application on one specific category of substrates (i.e., substrates that are composed of similar materials, such as different types of metals, paper products, ceramics, plastics, rubbers, or vinyls), or (D) adhesives designed exclusively for use on one specific category of articles (i.e., articles that may be composed of different materials but perform a specific function, such as gaskets, automotive trim, weather-stripping, or carpets).
- "General Purpose Cleaner" means a product designed for general all-purpose cleaning, in contrast to cleaning products designed to clean specific substrates in certain situations. General purpose cleaner includes products designed for general floor cleaning, kitchen or countertop cleaning, and cleaners designed to be used on a variety of hard surfaces.
- "General Purpose Degreaser" means any product designed to remove grease, grime, oil and other oil-based contaminants from a variety of substrates. "General Purpose Degreaser" does not include engine degreaser, general purpose cleaner, metallic parts cleaner, adhesiver remover, electronic cleaner, or metal polish/cleanser.
- "Glass Cleaner" means a cleaning product designed primarily for cleaning surfaces made of glass. Glass cleaner does not include products designed solely for the purpose of cleaning optical materials used in eyeglasses, photographic equipment, scientific equipment and photocopying machines.
- "Gross Annual Receipt" means the overall total income of a company before expenses are deducted.
- "Hairspray" means a consumer product designed primarily for the purpose of dispensing droplets of a resin on and into a hair coiffure which will impart sufficient rigidity to the coiffure to establish or retain the style for a period of time.

- "Hair Mousse" means a hairstyling foam designed to facilitate styling of a coiffure and provide limited holding power.
- "Hair Shine" means any product designed for the primary purpose of creating a shine when applied to the hair. Hair Shine includes, but is not limited to, dual-use products designed primarily to impart a sheen to the hair. Hair Shine does not include hairspray, hair mousse, hair styling gel or spray gel, or products whose primary purpose is to condition or hold the hair.
- "Hair Styling Gel" means a high viscosity, often gelatinous, product that contains a resin and is designed for the application to hair to aid in styling and sculpting of the hair coiffure.
- "Household Product" means any consumer product that is primarily designed to be used inside or outside of living quarters or residences that are occupied or intended for occupation by individuals, including the immediate surroundings.
- "Independently Owned" means controlled by one self. Not dependent on another for financial support.
- "Industrial Product" means a product designed and labeled exclusively for use in manufacturing processes whereby the product is incorporated into or used exclusively in the manufacture or construction of the goods or commodities (e.g., mold release used in plastic forms).
- "Insect Repellent" means a pesticide product that is designed to be applied on human skin, hair or attire worn on humans in order to prevent contact with or repel biting insects or arthropods.
- "Insecticide Fogger" means any insecticide product designed to release all or most of its content, as a fog or mist, into indoor areas during a single application.
- "Institutional Product," or for the purposes of this survey, "commercial product," means a consumer product that is designed for use in the maintenance or operation of an establishment that: (A) manufactures, transports, or sells goods or commodities, or provides services for profit; or (B) is engaged in the nonprofit promotion of a particular public, educational, or charitable cause. Establishments include, but are not limited to, government agencies, factories, schools, hospitals, sanitariums, prisons, restaurants, hotels, stores, automobile service and parts centers, health clubs, theaters, or transportation companies. Institutional product does not include household products or products that are incorporated into or used exclusively in the manufacture or construction of the goods or commodities at the site of the establishment.
- "Label" means any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, or appearing upon any consumer product or consumer product package, for purposes of branding, identifying, or giving information with respect to the product or to the contents of the package.

- "Laundry Prewash" means a product that is designed for application to a fabric prior to laundering and that supplements and contributes to the effectiveness of laundry detergents and/or provides specialized performance.
- "Laundry Starch Product" means a product that is designed for application to a fabric, either during or after laundering, to impart and prolong a crisp, fresh look and may also act to help ease ironing of the fabric. Laundry starch product includes, but is not limited to, fabric finish, sizing, and starch.
- "Lawn and Garden Insecticide" means an insecticide product designed primarily to be used in household lawn and garden areas to protect plants from insects or other arthropods.
- "Liquid" means a substance or mixture of substances which is capable of a visually detectable flow as determined under ASTM D-4359-90. Liquid does not include powders or other materials that are composed entirely of solid particles.
- "Lubricant" means a product designed to reduce friction, heat, noise, or wear between moving parts, or to loosen rusted or immovable parts or mechanisms. Lubricant does not include automotive power steering fluids; products for use inside power generating motors, engines, and turbines, and their associated power-transfer gearboxes; two cycle oils or other products designed to be added to fuels; products for use on the human body or animals; or products that are (1) sold to establishments which manufacture or construct goods or commodities, and (2) labeled "not for retail sale."
- "LVP-VOC" means any compound which contains at least one carbon atom and has either of the following:
 - (A) a vapor pressure less than 0.1 mm Hg at 20°C, or
 - (B) more than 12 carbon atoms, if the vapor pressure is unknown.
- "Manufacturer" means any person who imports, manufactures, assembles, produces, packages, repackages, or relabels a consumer product.
- "Metal Polish/Cleanser" means any product designed primarily to improve the appearance of finished metal, metallic, or metallized surfaces by physical or chemical action. To "improve the appearance" means to remove or reduce stains, impurities, or oxidation from surfaces or to make surfaces smooth and shiny. Metal Polish/Cleanser includes, but is not limited to, metal polishes used on brass, silver, chrome, copper, stainless steel and other ornamental metals. Metal Polish/Cleanser does not include Automotive Wax, Polish, Sealant or Glaze, wheel cleaner, Paint Remover or Stripper, products designed and labeled exclusively for automotive and marine detailing, or products designed for use in degreasing tanks.

- "Metallic Parts Cleaner" means any organic liquid that is designed to dissolve grease, dirt and other contaminants solely from miscellaneous metallic parts. Metallic parts cleaner does not include metal polish/cleanser.
- "Multi-purpose Dry Lubricant" means any lubricant which is: (A) designed and labeled to provide lubricity by depositing a thin film of graphite, molybdenum disulfide (moly), or polytetrafluoroethylene or closely related fluoropolymer (teflon) on surfaces, and (B) designed for general purpose lubrication, or for use in a wide variety of applications.
- "Multi-purpose Lubricant" means any lubricant designed for general purpose lubrication, or for use in a wide variety of applications. Multi-purpose Lubricant does not include Multi-purpose Dry Lubricants, Penetrants, or Silicone-based Multi-purpose Lubricants.
- "Multi-purpose Solvent" means any organic liquid designed to be used for a variety of purposes, including cleaning or degreasing of a variety of substrates, or thinning, dispersing or dissolving other organic materials. Multi-purpose Solvent includes solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories. Multi-purpose Solvent does not include solvents used in cold cleaners, vapor degreasers, conveyorized degreasers or film cleaning machines, or solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment.
- "Nail Polish" means any clear or colored coating designed for application to the fingernails or toenails and including but not limited to, lacquers, enamels, acrylics, base coats and top coats.
- "Nail Polish Remover" means a product designed to remove *nail polish* and coatings from fingernails or toenails.
- "Non-Selective Terrestrial Herbicide" means a terrestrial herbicide product that is toxic to plants without regard to species.
- "Oven Cleaner" means any cleaning product designed to clean and to remove dried food deposits from oven walls.
- "Paint Remover or Stripper" means any product designed to strip or remove paints or other related coatings, by chemical action, from a substrate without markedly affecting the substrate. Paint Remover or Stripper does not include Multi-purpose Solvents, paint brush cleaners, products designed and labeled exclusively to remove graffiti, and hand cleaner products that claim to remove paints and other related coatings from skin.
- "Parent Company" means the company or corporation that owns and controls other companies.

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"Penetrant" means a lubricant designed and labeled primarily to loosen metal parts that have bonded together due to rusting, oxidation, or other causes. Penetrant does not include Multi-purpose Lubricants that claim to have penetrating qualities, but are not labeled primarily to loosen bonded parts.

"Personal Fragrance Product" means any product which is applied to the human body or clothing for the primary purpose of adding a scent or masking a malodor, including cologne, perfume, aftershave, and toilet water. Personal Fragrance Product does not include: (A) products exclusively for human axillae; (B) medicated products designed primarily to alleviate fungal or bacterial growth on feet or other areas of the body; (C) mouthwashes, breath fresheners and deodorizers; (D) lotions, moisturizers, powders or other skin care products used primarily to alleviate skin conditions such as dryness and irritations; (E) products designed exclusively for use on human genitalia; (F) soaps, shampoos, and products primarily used to clean the human body; and (G) fragrance products designed to be used exclusively on non-human animals.

"Pesticide" means and includes any substance or mixture of substances labeled, designed, or intended for use in preventing, destroying, repelling or mitigating any pest, or any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator, provided that the term pesticide will not include any substance, mixture of substances, or device which the United States Environmental Protection Agency does not consider to be a pesticide.

"Principal Display Panel" means that part, or those parts of a label that are so designed as to most likely be displayed, presented, shown or examined under normal and customary conditions of display or purchase. Whenever a principal display panel appears more than once, all requirements pertaining to the principal display panel shall pertain to all such principal display panels.

"Private Label Contract Packager" means a company that manufactures products for sale under another company's name.

"Product Brand Name" means the name of the product exactly as it appears on the principal display panel of the product.

"Product Form", for the purpose of complying with Section 94513 only, means the applicable form which most accurately describes the product's dispensing form as follows:

A = Aerosol Product

S = Solid

P = Pump Spray

L = Liquid

G = Gel

O = Other

- "Propellant" means a liquefied or compressed gas that is used in whole or in part, such as a cosolvent, to expel a liquid or any other material from the same self-pressurized container or from a separate container.
- "Pump Spray" means a packaging system in which the product ingredients within the container are not under pressure and in which the product is expelled only while a pumping action is applied to a button, trigger or other actuator.
- "Responsible Party" means the company, firm or establishment which is listed on the product's *label*. If the *label* lists two companies, firms or establishments, the responsible party is the party which the product was "manufactured for" or "distributed by", as noted on the label.
- "Retailer" means any person who sells, supplies, or offers consumer products for sale directly to consumers.
- "Regional" means of some particular area in the nation (e.g., the West Coast which includes Washington, Oregon, and California).
- "Rubber and Vinyl Protectant" means any product designed to protect, preserve or renew vinyl, rubber, and plastic on vehicles, tires, luggage, furniture, and household products such as vinyl covers, clothing, and accessories. Rubber and Vinyl Protectant does not include products primarily designed to clean the wheel rim, such as aluminum or magnesium wheel cleaners, and tire cleaners that do not leave an appearance-enhancing or protective substance on the tire.
- "Rubbing Alcohol" means any product containing isopropyl alcohol (also called isopropanol) or denatured ethanol and labeled for topical use, usually to decrease germs in minor cuts and scrapes, to relieve minor muscle aches, as a rubefacient, and for massage.
- "Shaving Cream" means an aerosol product which dispenses a foam lather intended to be used with a blade or cartridge razor, or other wet-shaving system, in the removal of facial or other bodily hair.
- "Silicone-based Multi-purpose Lubricant" means any lubricant which is: (A) designed and labeled to provide lubricity primarily through the use of silicone compounds including, but not limited to, polydimethylsiloxane, and (B) designed and labeled for general purpose lubrication, or for use in a wide variety of applications. Silicone-based Multi-purpose Lubricant does not include products designed and labeled exclusively to release manufactured products from molds.
- "Single Phase Aerosol Air Freshener" means an aerosol air freshener with the liquid contents in a single homogeneous phase and which does not require that the product container be shaken before use.

- "Solid" means a substance or mixture of substances which, either whole or subdivided (such as the particles comprising a powder), is not capable of visually detectable flow as determined under *ASTM* D-4359-90.
- "Solvent Parts Cleaner" means any organic liquid that is designed to dissolve grease, dirt and other contaminants solely from miscellaneous metallic parts. Solvent parts cleaner does not include metal polish/cleanser.
- "Spot Remover" means any product designed to clean localized areas, or remove localized spots or stains on cloth or fabric such as drapes, carpets, upholstery, and clothing, that does not require subsequent laundering to achieve stain removal. Spot remover does not include dry cleaning fluid, laundry prewash, carpet and upholstery cleaner, or multi-purpose solvent.
- "Spray Buff Product" means a product designed to restore a worn floor finish in conjunction with a floor buffing machine and special pad.
- "Undercoating" means any *aerosol product* designed to impart a protective, non-paint layer to the undercarriage, trunk interior, and/or firewall of motor vehicles to prevent the formation of rust or to deaden sound. *Undercoating* includes, but is not limited to, rubberized, mastic, or asphaltic products.
- "Underarm Antiperspirant" means any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the *manufacturer* to be used to reduce perspiration in the human axilla by at least 20 percent in at least 50 percent of a target population.
- "Underarm Deodorant" means any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the manufacturer to minimize odor in the human axilla by retarding the growth of bacteria which cause the decomposition of perspiration.
- "Volatile Methyl Siloxane" means cyclic, branched, or linear completely methylated siloxanes.
- "Volatile Organic Compound (VOC)" means any compound containing at least one atom of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, and excluding any exempt compound.
- "Wasp and Hornet Insecticide" means any insecticide product that is designed for use against wasps, hornets, yellow jackets or bees by allowing the user to spray from a distance a directed stream or burst at the intended insects, or their hiding place.
- "Wood Floor Wax" means wax-based products for use solely on wood floors.

UNITED STATES RESIDENT POPULATION IN THE THOUSANDS, JULY 1, 1996

United States Total = 265,284

State	Thousands	State	Thousands
Alabama	4,273	Montana	879
Alaska	607	Nebraska	1,652
Arizona	4,428	Nevada	1,603
Arkansas	2,510	New Hampshire	1,162
California	31,878	New Jersey	7,988
Colorado	3,823	New Mexico	1,714
Connecticut	3,274	New York	18,185
Delaware	725	North Carolina	7,323
District of Columbia	543	North Dakota	644
Florida	14,400	Ohio	11,173
Georgia	7,353	Oklahoma	3,301
Hawaii	1,184	Oregon	3,204
Idaho	1,189	Pennsylvania	12,056
Illinois	11,847	Rhode Island	990
Indiana	5,841	South Carolina	3,699
Iowa	2,852	South Dakota	733
Kansas	2,572	Tennessee	5,320
Kentucky	3,884	Texas	19,125
Louisiana	4,351	Utah	2,001
Maine	1,243	Vermont	589
Maryland	5,072	Virginia	6,675
Massachusetts	6,092	Washington	5,533
Michigan	9,594	West Virginia	1,826
Minnesota	4,658	Wisconsin	5,160
Mississippi	2,716	Wyoming	481
Missouri	5,359		

Source: United States Department of Commerce. Bureau of Census.

Title 17, California Code of Regulations Subchapter 4. Disclosure of Public Records

Article 1. General

§91000. Scope and Purpose.

This subchapter shall apply to all requests to the state board under the California Public Records Act (Government Code Sections 6250 et seq.) for the disclosure of public records or for maintaining the confidentiality of data received by the state board. Written guidelines shall govern the internal review of such requests.

NOTE: Authority cited: Sections 39600 and 39601(a), Health and Safety Code. Reference: California Public Records Act, Chapter 3.5 (commencing with Section 6250), Division 7, Government Code.

HISTORY

- 1. New Subchapter 4 (Sections 91000 through 91022, not consecutive) filed 1-26-73; effective thirtieth day thereafter (Register 73, No. 4).
- 2. Amendment filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
- 3. Amendment of NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
- 4. Repealer and new section filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

§91001. Disclosure Policy.

It is the policy of the state board that all records not exempted from disclosure by state law shall be open for public inspection with the least possible delay and expense to the requesting party.

NOTE: Authority cited: Sections 39600 and 39601(a), Health and Safety Code. Reference: Section 6253, Government Code; Black Panther Party v. Kehoe (1974) 42 Cal.App.3d 645.

HISTORY

- 1. Amendment filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
- 2. Amendment and new NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
- 3. Repealer and new section filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

Article 2. Board's Requests for Information

§91010. Request Procedure.

The state board shall give notice to any person from whom it requests information that the information provided may be released (1) to the public upon request, except trade secrets which are not emission data or other information which is exempt from disclosure or the disclosure of which is prohibited by law, and (2) to the federal Environmental Protection Agency, which protects trade secrets as provided in Section 114(c) of the Clean Air Act and amendments thereto (42 USC 7401 et seq.) and in federal regulations.

NOTE: Authority cited: Sections 39600, 39601 and 39602, Health and Safety Code. Reference: Sections 39701, 41510, 41511, 41512 and 42705, Health and Safety Code; and Section 6253, Government Code.

HISTORY

- 1. Amendment of subsections (a) and (b) filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
- 2. Amendment of subsection (a), (b) and (c), and new NOTE, filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
- 3. Amendment filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).
- 4. Editorial correction filed 5-7-84; effective thirtieth day thereafter (Register 84, No. 19).

§91011. Submissions of Confidential Data.

Any person submitting to the state board any records containing data claimed to be "trade secret" or otherwise exempt from disclosure under Government Code Section 6254 or 6254.7 or under other applicable provisions of law shall, at the time of submission, identify in writing the portions of the records containing such data as "confidential" and shall provide the name, address and telephone number of the individual to be contacted if the state board receives a request for disclosure of or seeks to disclose the data claimed to be confidential. Emission data shall not be identified as confidential. The state board shall not disclose data identified as confidential, except in accordance with the requirements of this subchapter or Section 39660(e) of the Health and Safety Code.

NOTE: Authority cited: Sections 39600 and 39601, Heath and Safety Code. Reference: Sections 39660, 39701, 41500, 41511, 41512 and 42705, Health and Safety Code; Sections 6253, 6254 and 6254.7, Government Code; *Natural Resources Defense Council v. EPA*, 489 F.2d 390 (5th Cir. 1974) (6 ERC 1248); *Northern California Police Practices Project v. Craig* (1979) 90 Cal.App.3d 116; *Uribe v. Howie* (1971) 19 Cal.App.3d 194.

HISTORY

- 1. New section filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41). For history of former section, see Register 73, No. 39.
- 2. Amendment filed 7-10-84; effective thirtieth day thereafter (Register 84, No. 28).

Article 3. Inspection of Public Records

§91020. Disclosure Policy.

HISTORY

1. Repealer filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

§91021. Disclosure Procedure.

NOTE: Authority cited: Section 39601, Health and Safety Code. Reference: Sections 6253-6257, Government Code.

HISTORY

- 1. Amendment of subsections (c) and (d)(3) filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
- 2. Amendment and new NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
- 3. Repealer filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

§91022. Disclosure of Confidential Data.

- (a) This section shall apply to all data in the custody of the state board
- (1) designated "trade secret" prior to the adoption of this subchapter,
- (2) considered by the state board or identified by the person who submitted the data as confidential pursuant to this subchapter, or
- (3) received from a federal, state or local agency, including an air pollution control district, with a confidential designation, subject to the following exceptions:
- (A) Except for the time limits specifically provided in subsection (b), only subsections (c) and (d) of this section shall apply to information submitted pursuant to Health and Safety Code Section 39660(e).
- (B) Appropriate portions of an application for approval, accreditation, or certification of a motor vehicle emission control device or system shall be kept confidential until such time as the approval, accreditation, or certification is granted, at which time the application (except for trade secret data) shall become a public record, except that estimates of sales volume of new model vehicles contained in an application shall be kept confidential for the model year, and then shall become public records. If an application is denied, it shall continue to be confidential but shall be subject to the provisions of this section.
- (C) If disclosure of data obtained after August 9, 1984 from a state or local agency subject to the provisions of the Public Records Act is sought, the state board shall request that the agency which provided the data determine whether it is confidential. The state board shall request that it be notified of the agency's determination within ten days. The state board shall not release the data if the agency determines that it is confidential and so notifies the state board; provided, however, that the data may be released with the consent of the person who submitted it to the agency from which it was obtained by the state board.
- (b) Upon receipt of a request from a member of the public that the state board disclose data claimed to be confidential or if the state board itself seeks to disclose such data, the state board shall inform the individual designated pursuant to Section 91011 by telephone and by mail that disclosure of the data is sought. The person claiming confidentiality shall file with the state board documentation in support of the claim of confidentiality. The documentation must be received within five (5) days from the date of the telephone contact or of receipt of the mailed notice, whichever first occurs. In the case of information submitted pursuant to Health and Safety Code Section 39660(e), the documentation must be received within 30 days of the date notice was mailed pursuant to that section. The deadlines for filing the documentation may be extended by the state board upon a showing of good cause made within the deadline specified for receipt of the documentation.
- (c) The documentation submitted in support of the claim of confidentiality shall include the following information:
 - (1) the statutory provision(s) under which the claim of confidentiality is asserted;
 - (2) a specific description of the data claimed to be entitled to confidential treatment;
 - (3) the period of time for which confidential treatment is requested;
- (4) the extent to which the data has been disclosed to others and whether its confidentiality has been maintained or its release restricted;
- (5) confidentiality determinations, if any, made by other public agencies as to all or part of the data and a copy of any such determinations, if available; and
- (6) whether it is asserted that the data is used to fabricate, produce, or compound an article of trade or to provide a service and that the disclosure of the data would result in harmful effects on the person's competitive position, and, if so, the nature and extent of such anticipated harmful effects.
- (d) Documentation, as specified in subsection (c), in support of a claim of confidentiality may be submitted to the state board prior to the time disclosure is sought.
- (e) The state board shall, within ten (10) days of the date it sought to disclose the data or received the request for disclosure, or within 20 days of that date if the state board determines that there are unusual circumstances as defined in Government Code Section 6256.1, review the request, if any, and supporting documentation, if received within the time limits specified in subsection (b) above, including any extension granted, and determine whether the data is entitled to confidential treatment pursuant to Government Code Section 6254, 6255 or 6254.7 or other applicable provisions of law and shall either:
 - (1) decline to disclose the data and, if a request was received, provide to the person making the request

and to the person claiming the data is confidential a justification for the determination pursuant to Government Code Section 6255; or

- (2) provide written notice to the person claiming the data is confidential and, if a request was received, to the person requesting the data that it has determined that the data is subject to disclosure, that it proposes to disclose the data, and that the data shall be released 21 days after receipt of the notice by the person claiming confidentiality, unless the state board is restrained from so doing by a court of competent jurisdiction. The state board shall release the data in accordance with the terms of the notice unless so restrained.
- (f) Should judicial review be sought of a determination issued in accordance with subsection (e), either the person requesting data or the person claiming confidentiality, as appropriate, may be made a party to the litigation to justify the determination.

NOTE: Authority cited: Section 39601, Health and Safety Code. Reference: Sections 6253, 6254, 6254.7, 6255, 6256, 6256.1, 6258 and 6259, Government Code.

HISTORY

- 1. Amendment of subsections (a) and (b) filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
- 2. Amendment and new NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
- 3. Amendment filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).
- 4. Editorial correction of subsection (a) filed 5-7-84; effective thirtieth day thereafter (Register 84, No. 19).
- 5. Amendment filed 7-10-84; effective thirtieth day thereafter (Register 84, No. 28).

